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Attorneys For Petitioner
RAY LEE VAUGHN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAY LEE VAUGHN,)	NO. CIV 01-5241 OWW DLB HC
)	
Petitioner,)	
)	STIPULATION AND ORDER EXTENDING
v.)	TIME TO FILE PETITIONER'S
)	SUPPLEMENTAL BRIEF RE: PROCEDURAL
D. ADAMS,)	DEFAULT
)	
Respondent.)	
)	
)	

Petitioner, RAY LEE VAUGHN, and respondent, D. ADAMS, by and through their respective counsel, hereby agree and stipulate as follows:

1. Petitioner's supplemental brief regarding procedural default is due on June 12, 2005, pursuant to prior stipulation and order. For the reasons set forth below, the parties agree that a further continuance is necessary and appropriate.

2. On June 1, 2005, Assistant Federal Defender Carolyn Wiggin returned to the office following a six-month leave. Ms. Wiggin previously represented Mr. Vaughn in this matter. Effective mid-June,

1 the case is being re-assigned within the Office of the Federal Defender
2 to Ms. Wiggin.

3 3. Undersigned counsel for petitioner has been pursuing
4 document-gathering in support of a showing that the Dixon rule is
5 inconsistently applied, as set forth in the stipulation and proposed
6 order filed May 5, 2005. Delays in the copying and transmission of
7 records from other courts have further delayed the identification of
8 relevant documents. Problems with the accuracy and completeness of
9 electronically-available state court docketing information, and state
10 court case records systems, have also resulted in unanticipated delays.
11 Accordingly, although progress has been ongoing, it has been slow.

12 4. Due to these circumstances, and the imminent re-
13 assignment of the case within the Federal Defender's Office, the
14 parties stipulate and agree that a further continuance of 60 days is
15 appropriate.

16 5. The parties therefore respectfully request that the
17 deadline for petitioner's supplemental brief be extended to August 11,
18 2005.

19 6. Counsel for respondent, Deputy Attorney General Justain
20 P. Riley, has authorized the undersigned to sign this stipulation
21 electronically on his behalf.

22 Dated: June 3, 2005

23 Respectfully submitted,

24 QUIN DENVIR
25 Federal Defender

26 /s/ Allison Claire
27 ALLISON CLAIRE
28 Assistant Federal Defender
Attorney for Petitioner
RAY LEE VAUGHN

1
2 /s/ Justain P. Riley
3 JUSTAIN P. RILEY
4 Deputy Attorney General
5 Attorney for Respondents
6 D. ADAMS

7
8 **ORDER**

9 Pursuant to the stipulation of the parties, and for good
10 cause shown, petitioner's request for a further extension of time is
11 hereby GRANTED. Petitioner's supplemental brief regarding procedural
12 default shall be filed no later than August 11, 2005.

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IT IS SO ORDERED.

Dated: June 6, 2005
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/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE